

Senate Engrossed

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

CHAPTER 30

SENATE BILL 1082

AN ACT

AMENDING SECTION 11-803, ARIZONA REVISED STATUTES; RELATING TO COUNTY
PLANNING AND ZONING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-803, Arizona Revised Statutes, is amended to
3 read:

4 11-803. County planning and zoning commissions; membership;
5 terms; advisory officers

6 A. In the counties having three supervisorial districts, the EACH
7 county planning and zoning commission shall consist of nine members who shall
8 be qualified electors of the county. Three members shall be appointed from
9 each supervisorial district by the supervisor from that district, and not
10 more than one of the three may be a resident of an incorporated municipality.
11 Members of the commission shall serve without compensation except for
12 reasonable travel expenses.

13 B. Except as provided in subsection C of this section, in the counties
14 having five supervisorial districts, the EACH county planning and zoning
15 commission shall consist of ten members who shall be qualified electors of
16 the county. Two members shall be appointed from each supervisorial district
17 by the supervisor from that district. ~~and, if the district contains at least~~
18 ~~sixty per cent incorporated area, both members may be residents of the~~
19 ~~incorporated area. If the district is less than sixty per cent incorporated,~~
20 ~~one member may be a resident from the incorporated area but at least one~~
21 ~~member shall be a resident of the unincorporated area. MEMBERS SHALL BE~~
22 ~~RESIDENTS OF THE DISTRICT FROM WHICH THEY ARE APPOINTED.~~ Members of the
23 commission shall serve without compensation except for reasonable travel
24 expenses.

25 C. If any supervisorial district is at least ninety per cent Indian
26 reservation and at least ninety per cent of the district is not subject to
27 county zoning regulations, the supervisor from the district may appoint some
28 or all of the members to the commission from any supervisorial district in
29 the county if there is no appointee who is willing to serve within the
30 supervisorial district. These appointments are subject to the limitations on
31 residency required by subsections A and B of this section. Members appointed
32 to the commission pursuant to this subsection require the approval of the
33 board.

34 D. IN COUNTIES WITH A POPULATION OF ONE HUNDRED SEVENTY-NINE THOUSAND
35 PERSONS OR LESS, AN ALTERNATE MEMBER MAY BE APPOINTED BY THE APPOINTING
36 SUPERVISOR FOR EACH COMMISSION MEMBER APPOINTED PURSUANT TO SUBSECTIONS A, B
37 AND C OF THIS SECTION TO SERVE IN THE ABSENCE OF THAT MEMBER. ALTERNATE
38 MEMBERS MAY BE APPOINTED FROM ANY SUPERVISORIAL DISTRICT IN THE COUNTY.
39 DURING ANY MEETING OF THE COMMISSION, IF THE REGULARLY APPOINTED MEMBER
40 BECOMES AVAILABLE, THE ALTERNATE MEMBER SHALL CONCLUDE ANY ACTION ON THE
41 AGENDA ITEM UNDER CONSIDERATION AND THE REGULARLY APPOINTED MEMBER SHALL BE
42 SEATED FOR THE REMAINING ITEMS.

43 ~~D.~~ E. The terms of the members of the commissions shall be for four
44 years except for those initially appointed. Of those members initially
45 appointed pursuant to subsection A of this section, five members shall be

1 appointed to a two year term and four members shall be appointed to a four
2 year term. Of those members initially appointed pursuant to subsection B of
3 this section, five members shall be appointed to a two year term and five
4 members shall be appointed to a four year term. Thereafter, each term shall
5 be four years. If a vacancy occurs otherwise than by expiration of term, it
6 shall be filled by appointment for the unexpired portion of the term.
7 Members of the commission may be removed by the board for cause.

8 ~~E.~~ F. Upon a conversion from three to five supervisorial districts
9 pursuant to section 11-212, the board of supervisors, upon expiration of the
10 terms of members of the commission serving on the date of such conversion,
11 shall make such appointments to fill such vacancies to conform to the
12 ~~provisions of~~ subsection B of this section as soon as is practicable.

13 ~~F.~~ G. The county assessor, county engineer, county health officer and
14 county attorney shall serve in an advisory capacity to the commission and to
15 the boards of adjustment.

APPROVED BY THE GOVERNOR APRIL 10, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 11, 2007.